

the liberal view they want to promote with their readers and viewers.

LET'S TRY AND MAKE AMERICA FAIRER

(Mr. SUOZZI asked and was given permission to address the House for 1 minute.)

Mr. SUOZZI. Mr. Speaker, I rise today in support of the passage of the Dream Act, and I request my Democratic and Republican colleagues to stand together to try and address this very important issue in our country.

The issue of undocumented immigrants has been plaguing this country for almost 30 years now, going back to the 1980s, when people flowed over in the thousands from El Salvador during the death squads and the civil wars during that time.

As the mayor of the city of Glen Cove back in the 1990s, we dealt with this issue in my city, on one side people saying, "Get those people out of here," on the other side people saying, "They are just trying to live the American Dream like your father did." My father emigrated from Italy. I am a first-generation American. "They are just trying to live the American Dream like your family did, trying to work hard and live a better life here in this country."

When dealing with these difficult questions, we have to rely on the fundamental principles of this country, namely, that all men and women are created equal—not all men and women with a green card or all men and women with a passport, but all men and women are created equal and are entitled to be treated with human respect and dignity.

When looking at the DREAMers, we are talking about people who came to this country under 17 years of age, who have lived a productive life, who have either graduated from high school or received a GED and have now either gone to college or are serving in the military or have been working for the past 3 years and have no criminal background.

Let's try and make this country fairer. Let's try and make ourselves the model for the rest of the world to follow and lift up these people who are productive members of our community.

□ 0915

CRIMINAL ALIEN GANG MEMBER REMOVAL ACT

Mr. LABRADOR. Mr. Speaker, pursuant to House Resolution 513, I call up the bill (H.R. 3697) to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to House Resolution 513, the amendment printed in House Report 115-307 is

adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3697

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Alien Gang Member Removal Act".

SEC. 2. GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.

(a) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

"(53) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of 1 or more of the following criminal offenses and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting these criteria. The offenses described, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, are the following:

"(A) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

"(B) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

"(C) A crime of violence (as defined in section 16 of title 18, United States Code).

"(D) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

"(E) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery, and trafficking in persons), section 1951 of such title (relating to interference with commerce by threats or violence), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

"(F) A conspiracy to commit an offense described in subparagraphs (A) through (E)."

(b) INADMISSIBILITY.—Section 212(a)(2) of such Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

"(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

"(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

"(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang."

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

"(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who—

"(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)); or

"(ii) has participated in the activities of a criminal gang (as so defined), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang."

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

"DESIGNATION OF CRIMINAL GANG

"SEC. 220. (a) DESIGNATION.—

"(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, may designate a group, club, organization, or association of 5 or more persons as a criminal gang if the Secretary finds that their conduct is described in section 101(a)(53).

"(2) PROCEDURE.—

"(A) NOTIFICATION.—Seven days before making a designation under this subsection, the Secretary shall, by classified communication, notify the Speaker and Minority Leader of the House of Representatives, the President pro tempore, Majority Leader, and Minority Leader of the Senate, and the members of the relevant committees of the House of Representatives and the Senate, in writing, of the intent to designate a group, club, organization, or association of 5 or more persons under this subsection and the factual basis therefor.

"(B) PUBLICATION IN THE FEDERAL REGISTER.—The Secretary shall publish the designation in the Federal Register seven days after providing the notification under subparagraph (A).

"(3) RECORD.—

"(A) IN GENERAL.—In making a designation under this subsection, the Secretary shall create an administrative record.

"(B) CLASSIFIED INFORMATION.—The Secretary may consider classified information in making a designation under this subsection. Classified information shall not be subject to disclosure for such time as it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).

"(4) PERIOD OF DESIGNATION.—

"(A) IN GENERAL.—A designation under this subsection shall be effective for all purposes until revoked under paragraph (5) or (6) or set aside pursuant to subsection (c).

"(B) REVIEW OF DESIGNATION UPON PETITION.—

"(i) IN GENERAL.—The Secretary shall review the designation of a criminal gang under the procedures set forth in clauses (iii) and (iv) if the designated group, club, organization, or association of 5 or more persons files a petition for revocation within the petition period described in clause (ii).

"(ii) PETITION PERIOD.—For purposes of clause (i)—

"(I) if the designated group, club, organization, or association of 5 or more persons has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

"(II) if the designated group, club, organization, or association of 5 or more persons has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.